IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 20237 of 2007(H)

PETITIONER:

ROSY, W/O.THOTTIYAN VARGHESE,
VELLANCHIRA P.O., THRISSUR DISTRICT.

BY ADV. SRI.K.G.BALASUBRAMANIAN

RESPONDENTS:

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1. V.K.ANTONY, VELLATTUPARAMBIL HOUSE,
VELLANCHIRA P.O., THRISSUR DISTRICT.

2. BALAN, PEENIKKAPARAMBIL HOUSE,
VELLANCHIRA P.O., THRISSUR DISTRICT.

3. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB, CHALAKUDY,
THRISSUR DISTRICT.

4. THE ADDITIONAL DISTRICT MAGISTRATE,
THRISSUR.

R4 BY G.P. SMT.N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON 02/07/2007 DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.20237 of 2007

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Dated this the 2nd day of July, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. The petitioner is challenging Ext.P1 order whereunder the ADM has approved drawal of electric line over the property said to be belonging to the petitioner. Standing Counsel for KSEB submitted that line approved is over a pathway and it was selected after considering six routes. Petitioner's case is that the pathway belongs to the petitioner. I do not think petitioner's right over the pathway, whatever it be, is affected on account of drawal of electric line. If electric line can be permitted over private property, it could as well be drawn over a pathway, whether it is owned by petitioner or otherwise. Since line over pathway is found to be the least inconvenient one by the ADM, there is no scope for interference. The W.P. is accordingly closed declaring that petitioner's rights, whatever it be, over the pathway will not be affected by drawing and maintaining an electric line over it.

C.N.RAMACHANDRAN NAIR
Judge

pms